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Commissioner for Patents
P.O. Box 1450
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Date of Deposit

John C. Freeman, Reg. No. 34,483

Name of applicant, assignee or
Registered Representative

Signature

February 23, 2004

Date of Signature

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MAR 03 2004

Case No. 10544/169

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vladimir Protopopov

Serial No.: 10/035,025

Examiner: Keaney, Elizabeth M.

Filed: December 28, 2001

Group Art Unit: 2882

For: DARK-FIELD PHASE
CONTRAST IMAGING

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated August 21, 2003 of the Examiner finally rejecting Claims 1-17 and 19-25.

The item(s) checked below are appropriate:

03/03/2004 AWONDAF1 00000064 10035025

330.00 OP

01 FC:1401

1. An extension of time to respond to the final rejection was granted on February 23, 2004 for three months.
2. A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. Fee \$330.00 Other than a Small Entity
 Enclosed
 Not required (Fee paid in prior appeal)
 Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
4. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: February 23, 2004


John C. Freeman
Registration No. 34,483
Attorney for Applicant

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